



The CASE of *GRIFFITH WYNN* an
Infant, Son and Heir apparent of *Tho. Wynn* Esq;
and of *Thomas Bodvile* an Infant, and of the said
Tho. Wynn the Father.

*Humbly presented to the consideration of the Ho-
nourable the Knights, Citizens, and Burgeses in
Parliament assembled.*

Humbly sheweth,

THat *John Bodvile* of *Bodvile* in the County of *Carnarvan* Esquire, being
seized of several Mannors and Lands in the Counties of *Carnarvan* and
Anglesey, of the value of 1800 *l. per an.* did in consideration of a Mar-
riage with *Anne*, the Daughter of *Sir William Russell*, settle a Joynture
upon the said *Anne* of 600 *l. per an.* and did settle all his said Mannors
and Lands, and the Reversions of his Wife's Joynture upon himself, and
the Heirs Males of his Body, begotten on the Body of the said *Anne*, the Remainder to
his own right Heirs with power if he had Issue Male and Female to charge the Estate with
500 *l. per an.* untill such Daughters shall have received 1500 *l.* Portions; and if he had
no Sons, but Daughters, then the Estate was charged with 5000 *l.* to such Daughter or
Daughters, to be equally divided amongst them; *John Bodvile* had Issue by *Anne* 3
Daughters, *Elizabeth* and *Sarah*, and no Issue Male; and
Elizabeth dyed in 1661 without Issue: great differences happened between the said
John Bodvile and *Anne* his Wife; and the said *John Bodvile* having been a Colonel for
the King, his Wife did procure Warrants for his apprehension, and endeavoured to have
him tryed by a High Court of Justice; of which said Warrants the said *Tho. Wynn* the
Father gave the said Mr. *Bodvile* notice; whereupon the said Mr. *Bodvile* fled into the
Isle of *Man*, and thence into *Holland*; and the said Mr. *Wynn*, at his desire, stayed in
London 21 Months from his Wife and Children, and did correspond with Mr. *Bodvile*;
which, if discovered, had proved dangerous to Mr. *Wynn*: And in the year 1649.
he gave Mr. *Bodvile* notice of a general Composition for *North-Wales*, which
was then shortly to pass, excepting such as had been in Armes, and then beyond the Sea
when it passed; whereupon the said Mr. *Bodvile* repaired to *London*, and the said Act
soon after passed, whereby his Life and Estate was preserved; whereupon the said Mrs.
Bodvile, by her power with *Oliver*, did get an Act of the then pretended Parliament for
Allimony, and obtained a Decree in Chancery for 500 *l. per an.* to be paid her out of his
Estate. And in the year 1650 upon her Petition, the said Mr. *Bodvile*'s Estate was put
into the Bill of Sale, notwithstanding his Composition, and the said Mrs. *Bodvile* was to
continue the enjoyment of her 500 *l. per an.* and she obtained a Sequestration of Mr.
Bodvile's whole Estate for the payment of the said 500 *l. per an.* by colour whereof the
Lady *Bodvile*, Mother of the said Mr. *Bodvile*, in the year 1656. was turned out of the
possession of her Dowry, whereby she was disabled to relieve her Son; and Mr. *Bodvile*
was forced to take 1000 *l.* for 3555 *l.* 2 s. 10 d. of his Wife's Portion unpaid, else he
was threatned they would make a discovery of it to the Committee, and he should lose
all. And the said Mrs. *Bodvile* in the year 1657 did marry her Daughter *Sarah* to Mr.
Roberts, without the consent or knowledge of the said Mr. *Bodvile*, at which Mr. *Bodvile*

20 March,
1639.

was highly displeased. And in or about *May* 1662 *Mr. Bodvile* was arrested at the prosecution of his Wife for her Allimony, upon a Commission of Rebellion out of Chancery; which was made appear, was with the privity of the said *Mr. Roberts*, who was present with his then Servants *Lewis* and *Morris*, and the Bayliffs who were then to arrest him, to betray and discover the said *Mr. Bodvile* to the arrest of the said Bayliffs, who afterwards arrested *Mr. Bodvile* in *Fleetstreet* about 11 of the clock at night, and immediately carried him away to *Westminster*, where they kept him secret for several dayes and nights from all his Friends, and *Mr. Roberts* had notice sent him of the Arrest early next morning. During which restraint *Morris* told *Mr. Mostin*, were he *Mr. Roberts*, he would take *Mr. Bodvile* and pinne him in a Room, till he settled his Estate upon him, lest he gave it away; and *Mr. Bodvile* continued so secreted, untill *Mr. Henry Wynn*, *Mr. Bodvile's* Uncle, threatned to move the House of Commons to know where he was; whereupon *Mr. Henry Wynn* was brought to the said *Mr. Bodvile* by *Mr. Roberts*, who was often with him during his restraint: during which restraint, the said *Mr. Bodvile* was much threatned by *Mr. Roberts's* Agents, in the presence of *Mr. Roberts*, to settle his Estate on the said *Mr. Roberts* and his Wife, and their Children; but *Mr. Bodvile* did then declare, That not any that came of his wife should have one foot of his Estate; and at other times declared, That he would be torn in pieces with wilde Horses, and would give his Estate to *Oliver's* Red-coats, before he would settle his Estate on his Issue Female; and that if he had no Issue Male by another wife, he would settle his Estate on some of his Kindred; And during his restraint, he desired *Mr. Henry Wynn* to send his Cousin *Tho. Wynn* unto him, and did often send for the said *Tho. Wynn* during his restraint; but *Morris* and *Lewis*, *Mr. Bodvile's* Servants, denied to tell him where he was, although the said *Mr. Wynn* promised forthwith to procure his Inlargement. After *Mr. Bodvile* was enlarged, he refused to see or receive any Letters from *Mr. Roberts*; and being in his Chamber at the Temple, caused himself to be denied to be within, when *Mr. Roberts* sent or came to him, and turned away his Servants *Lewis* and *Morris* who had betrayed him, who were afterwards retained as Servants by the said *Mr. Roberts*. Afterwards in *May* 1662. *Bodvile* was again arrested by his Creditors, set on by *Lewis* and *Morris*; whereupon *Mr. Bodvile* sent for the said *Mr. Tho. Wynn*, who procured him Bayle to some of his Actions, and his Liberty, and furnished him with the Summe of 220 £. and the said *Mr. Bodvile's* wife having procured an Order of Chancery, dated the 12th. of *June* 1662 for his Commitment to the Fleet. *Mr. Bodvile*, to avoid such commitment and arrests, did leave his Chambers at the Temple, and gave them unto *Griffith Wynn*, alias *Bodvile*, Sonne of the said *Tho. Wynn*, who was admitted thereunto, and removed to *Islington*, and went by another Name, and caused his Servant *Pugh* to change his Name; of which removal or change of his Name *Mr. Tho. Wynn* knew nothing, untill he was sent for by *Mr. Bodvile*, and acquainted therewith by *Mr. Bodvile*. And afterwards *Mr. Bodvile* in *June* 1662 levied Fines of his Estate to enable him to dispose thereof, and imployed his Servant *Pugh* to go into *Wales* for that purpose, who was imprisoned by the Sequestrators of *Mrs. Bodvile*. And in *September* following *Mr. Bodvile* went from *Islington* to the County of *Salop*, and from thence writ several kinde Letters to *Mr. Wynn*, and at *Salop* owned him for his great Friend, and the onely Person that stuck to him in all his troubles: and in *October* following *Mr. Bodvile* returned to *London*, and went to his Lodgings at *Islington*; and in *December* following *Mr. Bodvile*, by reason of a Fall, had an Impostumation in his Hipp, which put him to great pains, and brought him to be very weak, being for the cure thereof inforced to be launched three Inches at a time, did without the direction, perswasion or privity of *Mr. Wynn*, send for *Mr. Pollard*, who was, and antiently had been of his counsell, and much imployed by him, to give him directions for the drawing and preparing his Will; which accordingly being drawn, *Mr. Bodvile* did peruse it, and with his own hand did correct a *Welsh* word of the name of a Town therein mis-written by *Mr. Pollard*, and gave the said *Mr. Pollard* direction to call the said *Pugh* into the Chamber, and in their presence signed, sealed and published the said Will the 20th. of *December* 1662. and did direct the said *Mr. Pollard* and *Pugh* should be witnesses to the said Will, and wished them to write their Names low, for that he intended to have more witnesses to the said Will; and the said *Pugh* desiring to know the date thereof, *Mr. Pollard* shewed him the Will, and *Mr. Bodvile* wished him to write down the date thereof for his better remembrance; and thereupon *Mr. Bodvile* locked up the said Will in a Box, and kept it in his custody. By which Will *Mr. Bodvile* gives all his Lands, Tenements, and Hereditaments in the Counties of *Carnarvan* and *Anglesey*

Anglesey unto Sir *Richard Wynn* and Sir *Tho. Dorrell*, and the said *Tho. Wynn*, and their Heirs upon special Trust and confidence, and to the intent and purpose, that they and their Heirs shall out of the Rents, Issues and Profits thereof, as speedily as they can be collected and raised, pay and discharge all his just and due Debts which he did then owe, or after should contract; and upon further Trust, that they should raise 5000 *l.* for a Portion for his Daughter *Sarah Roberts*, now wife of *Robert Roberts* Esquire, provided, before payment be made of the said 5000 *l.* that a competent and convenient Provision, & Livelyhood be settled upon my said Daughter and her Children; and provided also, that if the said Mr. *Roberts*, or my said Daughter, or any other Person or Persons claiming by, from, or under them, or either of them disturb or interrupt my said Trustees, or any of them, in the quiet reception of the Rents, Issues and Profits, according to the Trust and intent above limited, then the payment of the 5000 *l.* to cease, and no benefit at all to be reaped or received thereby; and after the Debts and Portion so satisfied and paid her, gave the rest and residue of his said Lands to *Griffith Wynn*, alias *Bodvile*, Son and Heir apparent of the said *Tho. Wynn*, and to *Tho. Bodvile* Son of *Alexander Bodvile* late of *Pullhelly*, in the said County of *Carnarvan* Gentleman, deceased, and their Heirs respectively, equally to be divided between them, without making any division at all of my Houses, Demesnes or Tenements thereto belonging; and after some other Legacies given by his said VVill, he made the said *Tho. Wynn* sole Executor of his said VVill, in trust only for the more speedy payment and satisfying of the said Debts and Portion. In January 1662 Mr. *Bodvile* desired Mr. *Wynn* to find him out a Lodging in *Black-fryers*, and accordingly he did, at the House of one *Clitbero*, a mere Stranger to Mr. *Wynn*; which Mr. *Bodvile* liked well, and went thither the 22d. day of the said Month; and after he came thither, he went daily abroad. And about a Fortnight before he died, he discoursed with Mr. *Edmund Toll* a Proctor, whether they did not in the Ecclesiasticall Courts proceed in Causes of Divorse; who told him, He believed they did; Mr. *Bodvile* then told him, His Wife had abused him, and desired him to advise with some Civilians whether he might not be divorced from her; and after Mr. *Toll* had advised with a Civilian, he told him, they did proceed in causes of Divorse: whereupon Mr. *Bodvile* said, If it pleased God to give him health, he would proceed against her; and Mr. *Bodvile* did then shew great dislike against Mr. *Roberts* and his Wife, and said Mr. *Roberts* great design was to have him settle his Estate upon him and his Wife, but said his resolution was never to settle his Estate upon him, and shewed great dislike against him, and told him, That he had levied Fines of his Estate in *Wales*, with resolution to settle his Estate by Deed or VVill; and that he had made his Will, and that Mr. *Pollard* was a Witness to it, to whom he had given a Legacy; and thereupon asked, if Mr. *Pollard* would stand a good VVitness? Mr. *Toll* answered, That if the said Legacy was not such as the Law would conceive might sway him in his Judgement, his Testimony might be good. Mr. *Bodvile* replied, to prevent all doubts, If it pleased God to recover him to his health, he would desire him, and 3 or 4 Notary Publiques of *Doctors Commons* to give him a meeting, in whose presence he would then publish and declare his Will; and Mr. *Toll* sayth he was then of a perfect minde and understanding to make his VVill. After Mr. *Bodvile*, the 19th. of *March* 1662 in the presence of Mr. *Wandesford*, Mr. *Griffith*, and Mr. *Platt*, three more VVitnesses, without exception he did declare unto them, That he had sent for them to be VVitnesses to his VVill, which he had formerly made and published, but that he did lodge in an obscure place where he made his said VVill, and went by another Name; and having the said VVill in his hands, he read over part thereof in their presence, both at the beginning and latter end thereof, and shewed them the Seal he formerly sealed his Will with, and desired them to compare the said Seal and the former impressiion together, which they did, and found them agree, and then in their presence did publish and declare his Will again, and discoursed very rationally with them both concerning his Will and other matters; by which Will he hath given his said Daughter as much as upon the Marriage agreement was thought fit all his Daughters should have, if never so many, if he died without Issue Male. After which he desired a Minister might be sent for; which was done, with whom he discoursed very rationally, and fully and discreetly answered to all such things as are usually put to sick Persons; and the said Minister advising him to make a Will and settle his Estate for the quieting of his Conscience, and to be at peace with all the World. He said, he had done that already. Mr. *Bodvile* died 28 *March* 1663. after which Mr. *Bodvile's* wife and Mr. *Roberts* enter upon the whole Estate of Mr. *Bodvile*, and

and ever since and yet do continue the possession. And 27 April 1663. Mr. Roberts and his wife, and Charles Bodvile Roberts their second Son, exhibit a Bill in Chancery against Mr. Tho. Wynn, the Trullees, Griffith Wynn alias Bodvile, Tho. Bodvile, Timothy Pollard, and others, to set aside the said Will, suggesting that the said Will was procured by fraud and practice from Mr. Bodvile when he was in a weak condition both of body and minde, when he was secreted from all his Friends, and that he was not *compos mentis* when he made the said Will, and that Mr. Bodvile had a great disaffection to the said Tho. Wynn. In May following there was an Injunction granted, which was continued to the Hearing of the Cause, which was heard the 19th. of January; upon which Hearing the Lord Chancellor being assisted with the Lord Chief Justice Hyde, and the Lord Bridgman declared they could not relieve the Plaintiffs, but left the Plaintiffs to seek relief as they should be advised, but yet continued the Injunction; after Mr. Roberts and his wife applied themselves to the Lords Spiritual and Temporal in Parliament assembled, who after very many Hearings and Debates 29 November 1664 referred it back to the Lord Chancellor to make a Decree according to equity and justice on either side, though there was no President in the Case. After the 12th. of July 1666 the Lord Chancellor being assisted with the Lord Chief Justice Bridgman, the Lord Chief Baron Hales, and Baron Rainsford reheard the said Cause, and spent 3 dayes therein; wherein nothing was omitted that could be said or observed for the Plaintiffs advantage. But their Lordships were all fully of opinion, That the Plaintiffs were not releiveable, and did order that the matter of the Plaintiffs Bill be from thenceforth clearly and also fully dismissed out of the said Court without costs, and that all Injunctions in the said Cause be from thenceforth absolutely dissolved: As for the suggestions made by Mr. Roberts and his Council that this Will was gained by the fraud and practice of Tho. Wynn: It did not appear by any proof that Mr. Tho. Wynn did ever move or speak to Mr. Bodvile to make any Will or settlement of his Estate, nor did know that he had given any Instructions for the making of his Will at Islington, or that he had made any Will at Islington; and as for Mr. Bodvile's secreting himself from his friends and going to Islington, He had great reason to secret himself to free himself from arrests, and other prosecutions of his Wife, but it could not be proved neither is there any truth in it, that the same was done by the persuasion, council, advise, or privity of the said Tho. Wynn, or that the said Mr. Wynn knew where he was till long after his removal that he sent for him; and it is clear in proof that Mr. Roberts and his Wife was 3 times with Mr. Bodvile the very week he died; and when directions were given by the Physician that they should not let company come to him, it being asked by the Woman of the House of Mr. Wynn, What if Mr. Roberts or his Wife come, may not they be let in, Mr. Wynn answered, Let them come to him by all means. As for his being *non compos mentis*, and under an habitual madness, if that were true it is properly tryable at Law; but the evidence is so plain by 10 Witnesses at the least of good credit, as also by his Letters and accounts of the daily expences of his own writing, that he was of a disposing memory and understanding, that all Objections of that nature are silenced; and as for his disaffection to Mr. Wynn, and the reproachfull language he gave him, It is fully in proof, that he bore a greater disaffection to Mr. Roberts; but it doth appear both by his words, actions, and several Letters under his own hand, written about six Months before his death, that he had a great kindness or respect for the said Mr. Wynn, and that he valued and esteemed him more than any other Kinsman, put him in several Deeds of Trust; and upon the death of his Daughter Eliz. he sent Mr. Wynn and his Wife and Children Mourning. Ever since the death of Mr. Bodvile the Trustees have been and yet are kept out of the Estate, not one penny of Mr. Bodvile's Debts, which are great, are yet paid out of the Estate, but the Estate enjoyed by Mr. Roberts; and although the Injunctions be now dissolved, yet the Trustees cannot sue at Law, by reason of Mr. Roberts Priviledge of Parliament. All which is humbly submitted to the Judgement and Consideration of the Honourable House of Commons.



